

The Westfield-Washington Advisory Plan Commission held a meeting on Monday, June 21, 2010 scheduled for 7:00 PM at the Westfield City Hall.

Opening of Meeting: 7:00 PM

Roll Call: Note Presence of a Quorum

Commission Members Present: Dan Degnan, Pete Emigh, Cindy Spoljaric, Bob Horkay, Danielle Tolan Bill Sanders, Bob Spraeztz, and Steve Hoover.

City Staff Present: Matthew Skelton, Director; Kevin Todd, Senior Planner; Jennifer Miller, Senior Planner; Ryan Schafer, Planner; and Brian Zaiger, City Attorney

Approval of the Minutes:

Motion: To approve June 7, 2010 minutes as presented.

Motion by: Emigh Second by: Horkay; Vote: Passed by Voice Vote

Todd reviewed the General Rules of Procedure and the Public Hearing Rules.

OLD BUSINESS

Case No.	1005-CPA-01
Petitioner	City of Westfield
Description	The City of Westfield requests approval of an addendum to the Westfield Thoroughfare Plan, a part of the Westfield-Washington Township Comprehensive Plan.

Todd stated that there have been no changes since the public hearing.

Degnan stated that he had previously expressed a concern about the lack of right-of-way on the north side of the 146th Street bridge.

Skelton stated that the plan shows an alternative transportation trail along 146th Street and directed the Commission to the proposal.

Motion: To approve 1005-CPA-01 as presented.

Motion by: Hoover Second by: Emigh; Vote: 7-1 (Degnan)

NEW BUSINESS

Case No. 1001-PUD-01
Petitioner Estridge Development Company
Description 146th Street and Towne Road; requests a change in zoning on approximately 1,409 acres from the AG-SF1, SF-2 and Centennial North PUD districts to the Symphony PUD District.

Todd reviewed the proposal history, which was introduced at the City Council on December 14, 2009. He stated that the project has three separate districts, including: Residential District, Mixed Use District, and Nature and Recreation. He further stated that there are approximately 4,000 dwelling units proposed and approximately one million square feet of non-residential space, of which approximately 400,000 square feet would be allowed to be retail in nature.

Mr. Paul Estridge, Jr., Estridge Development Company, introduced guests and discussed the history of the Symphony proposal.

Mr. Joe Calderon, Bose McKinney & Evans, discussed the Symphony PUD and the PUD process.

Estridge continued to discuss the vision and details of the project. He discussed the Westfield Comprehensive Plan and how it differed from the Symphony proposal.

Mr. Matt Cohoat, Estridge Development Company, discussed cost and funding of the Symphony project. He also discussed the jobs which would be created as a result of the project, and he discussed the increased tax base and tax revenue for the City of Westfield as a result of the project.

Estridge spoke of the project's design, which consists of nine villages. He also discussed the master plan, stating that the plan calls for approximately 34% open space.

A Public Hearing opened at 8:00 p.m.

Mr. Jim Ake spoke highly of the Estridge Companies. Ake mentioned that he has been involved with the Westfield community and has enjoyed working with the Estridge Companies. He believes we need trusted relationships. He stated that Estridge is local and has a vested interest in the community. He added that this project will provide a growing tax base for the community and spark other economic growth, which is needed in Westfield. Ake also believes that the \$1 Billion of assessed value over 15 years is really important as the City goes forward with Grand Junction. Ake stated that the added EDU's will help our public utility and our taxpayers. He stated that the entrances to Symphony need to be well lit.

Ms. Sharon Williams stated that she has no problem with the Estridge Companies, but expressed concern regarding products used for building and construction, she specifically expressed concern with where the products come from. She noted that lumber companies have been importing their products which are sold to the builders. She also expressed concern about adding 800 apartments, which would have a minimum of three children per unit, equaling approximately 2400 children. She expressed concern about adding 174 condos, which would house an estimated 522 children. She concluded that this project would add 2922 children to the school system. She noted that taxes will have to be raised, schools will have to be built, and we will have to pay for all that. She asked where all of the previously stated jobs are going to come from.

Ms. Tammy Gabriel stated that she is just starting to get familiar with Symphony, and asked if Symphony includes what was going to be Centennial North. Also, she stated that she does not see any amenities in this community. As a resident of Centennial, which is not a gated community and is having problems with overcrowded amenities, her concern is that Symphony would be merged with Centennial's HOA and would have access to their amenities. Gabriel then stated that Centennial residents were sold their homes with the promise of commercial business along Pawtucket Drive. She noted that that development never happened and questioned what kind of guarantee there is that the same will not happen at Symphony as well. Finally, she asked what telecom company will service Symphony, asking if they will be under the monopoly of First Mille as Centennial is, or will it be open to Verizon, AT&T, Comcast and Brighthouse?

Mr. Paul Thompson stated that it is important to know the character of the developer if we are going to have a development of this size. He spoke highly of Estridge's character. He believes the Estridge team is trustworthy and that this town has benefited from what they have already done.

Ms. Juanna Clark spoke highly of Estridge's character from personal experience.

Mr. Zeff Weiss, Esq. spoke on behalf of Ross and Tina Laufter, who live at 2702 West 146th Street. He stated that the Laufter's live where the proposed project is planning to put a commercial area, and that does not work for them. He believes that it is unreasonable that their property to be surrounded by commercial business, with the potential for trucks running all night, lights, noise, and cars. He added that they are looking for specifics regarding lighting, hours of operation, and setbacks, and that there are too many unknowns at this time. Weiss stated that the Laufters and Estridge have not been able to reach an agreement on purchasing the property. Weiss added that the City's zoning ordinance requires that the applicant of a PUD request have either ownership or control of the property being considered for a rezone. Weiss explained that Estridge has neither ownership nor control of the Laufter property. He added that they would continue to work with Estridge Companies, but believes the Laufter property should not be in this PUD. He noted that doing so would leave the property surrounded by commercial. Weiss requested that if there will be no opportunity to speak again on their behalf, that the Commission reject the PUD in total since Estridge does not have control

of this parcel. He further requested that at the least to remove the Laufter property from the proposal and not classify the area around the property as Mixed Use District. Ms. Tracy Peilemeyer, representing her family and neighbors, stated that their properties' eastern boundaries abut the proposed development. She stated that this parcel was rezoned once in 2004 from AG-SF1 to SF-2, and that voluntary commitments by the developer at that time included, among other things, no vinyl siding, a minimum of 2,500 square foot homes, and a 40-foot buffer zone between the development and their properties. She referred to page 47 of the current proposal where the parcel adjoining hers is shown as Village 5 which is supposed to be SF-2. She referred to page 27 where it states, "multi family housing, duplex, triplex and quadplex housing would be permitted..." which is far different from what was already approved and committed to. She added that the maximum buffer zone in this proposal is one half of what was already agreed upon, and that there are no building materials limitations or requirements. She also expressed concern that the proposed lot sizes would be greatly reduced from what was approved with the 2004 rezoning. She asked the Commission to stick to the development standards already agreed upon in this area, especially the commitments agreed upon above the zoning standards. She encouraged the Commission to insist on more site-specific requirements and to not agree to a broad sweeping rezoning with large variance possibilities, or to dilute what was already committed to in 2004. She closed by stating that the Symphony development is massive in size and scope and will have a huge impact on the reputation of our City.

Mr. Chris Michaelsteder expressed concern regarding First Mile, a subsidiary of Estridge Companies, which is currently under investigation by the Indiana Utility Regulatory Commission. He stated that the investigation was opened due to complaints by the residents of Centennial concerning the services and the lack of choice for other providers. He asked that the Commission prevent a repeat of this situation by requiring notification by Estridge to the Technical Advisory Committee and that the Commission take steps to make sure Estridge follows through on the IURC statement.

Mr. Ken Kingshill expressed concern regarding the widening of Towne Road. He stated that the Thoroughfare Plan calls for Towne Road to be a Primary Arterial thoroughfare, which would require a right-of-way of 150 feet. He proposed that most of the 150 foot right-of-way be taken from the golf course side of Towne Road. He noted that his house sits approximately 80 feet from Towne Road, and that taking half of the recommended 150 feet evenly on both sides of the street would render his and his neighbors properties unusable. Secondly, he expressed concern about transitioning between the project and existing residential properties. He stated that we hear a lot about transitioning between different uses, but would like to make sure consideration is given to transitioning within like uses as well. Further, he asked for some consideration of 360 degree architecture and for some enhanced transitional buffering requirements, all the way around the project.

Mr. Brian Harris voiced his support of Estridge Companies and their sense of community. He also spoke positively about the growth of the Woodwind Golf Course facility.

Mr. Brent Noonan stated that when he purchased his home, it was sold at a higher price point because it abuts a pond. Noonan explained that the pond abuts an area of the Symphony project that is designated as Mixed Use District. Noonan expressed concern over that and the impact on property values. Noonan requested that Estridge considers a transition plan and not jeopardize the property values of those homes.

Ms. Keltie Domina spoke in favor of the project and of Estridge Companies.

Ms. Sara Gillian expressed several concerns regarding the proposed community, including buffers near rural properties, light pollution from stadiums, types of lighting, cost to the public of this type of development, and the need for new schools. She stated that the developer did not mention setting aside any money or land for schools. She was concerned that as a result, the public will need to pay for those schools and thought that maybe a school should be built instead of a baseball stadium. She further added that it is hard for her to imagine how the sewer plant will handle all this additional development. She believes the treatment plant will have to be upgraded, which will cost the public monies. Finally, she expressed concern as to whether the impact fees are high enough to pay for the roads.

Mr. Bruce VanAtta stated that his property abuts the eastern border of the golf course and expressed concern that when they add on to their home, they will be within 200 feet of the proposed condominiums. He further stated that they have no objection to what was being proposed to the south of their property, but expressed concerns with what was being proposed to the west of their property.

Mr. Bruce Watson, representing several of his neighbors in Centennial, expressed concerns regarding the development of the proposed continuous care community at the northeast corner of 146th Street and Ditch Road. He stated that there have been discussions around the community, and some of the concerns have been brought to the Estridge Companies. He stated that they also have met with Community Development. He expressed a desire that multi-story, institutional style buildings not be constructed directly behind their properties. He stated that there has been some talk about independent living units being constructed in that area, which would be the preference of the neighbors. Watson stated that the neighbors would also like to know more specifically how that area will be developed and how the road network will be configured. He expressed a concern that there not be direct access into Montclair Drive and no commercial development at the corner. He also expressed concern about the location of the YMCA and does not believe that the proposed location is the most appropriate site for that structure, stating that if there is to be a sports complex, then it would be better to site the YMCA there.

Mr. Dave Thomas expressed concern about the buffer zone between the proposed structures and 166th Street and property on the south side of 166th Street. He also expressed concerns about drainage.

Mr. Mark Wapol asked if there is an alternative if the private sector does not embrace the vision Estridge is proposing.

Mr. Justin Style spoke regarding the sense of community in Centennial and supports this new proposed development.

Dr. Ginny Kelleher expressed concern about buffers and stated that she has many notes concerning the development and will forward them to Skelton and Estridge.

Mr. Kevin Paski asked for more details on the project, such as types of homes, square footage, home values, and common fees. He also asked about the nearby lift station and what will happen to it if the proposed development is approved. He further stated that he agrees with previous mentioned concerns about the 75 feet Right-of-Way on Towne Road and stated that road frontage should be saved for existing home owners. His final concern was regarding the water table and what the possible effects will be on his two wells.

Mr. John Goers expressed concern about the corner of 146th and Ditch which is zoned multi use. He further stated that he lives in Centennial South, which are premium homes. He stated that concerns regarding multi-family facilities, parking lots, trash, associated with the proposed development. He asked that the Commission take into consideration the homeowners in the Centennial South area.

Mr. Craig Wood expressed concern about the type and location of the amenities. He asked that if there is a balance between amenities for Symphony residents versus public amenities. He questioned, if traffic to and from the public amenities would be detrimental to the residents of the respective villages.

Mr. Jamie Cartis expressed concern about the impeccably kept properties that already exist and asked that Estridge be respectful of those existing properties. He also asked where dump lots will be located during construction.

The Public Hearing closed at 9:08 p.m.

Estridge responded to Public Hearing comments. He discussed First Mile Technologies and stated they do not control any other service providers; that other service providers refused to service this area. He further stated that they have met with the school corporation and that the school corporation agrees proposed development adds to the revenues for the school system and does not burden the school system. He continued that the school corporation further believes no additional schools are needed beyond what is currently planned for. He stated the odor at the lift station will be resolved.

Sanders asked the Commission to consider appointing a subcommittee to review and work with Estridge on this project. He suggested to appoint Dr. Ginny Kelleher to chair the committee.

Spoljaric asked that this consideration to be addressed at the next meeting.

Skelton recommended this process be handled during the Commission public hearings and meetings.

Spoljaric commented on lack of detail in the actual zoning ordinance. She further stated that the public needs to understand that recommendations are based on the ordinances to which we are legally bound.

Case No.	1006-PUD-06
Petitioner	Westfield Enterprises, LLC
Description	2432 East South/171 st Street; requests a change in zoning of approximately 9.5 acres from AG-SF1 to the Kalorama Park PUD.

Schafer reviewed the Kalorama Park PUD proposal, which was introduced at the May City Council meeting. He stated that mailed public notice and newspaper notice were conducted in accordance with procedure; however, the notice on the site was posted for five days rather than the required ten days. He continued that the Commission will need to waive this notice requirement in order to proceed.

Mr. Jim Anderson presented the details of the Kalorama Park PUD. He stated that the property is in the process of being annexed. He discussed development design and storm water design. He stated that the development would preserve about 50% of the property as well as enhance the Midland Trace Trail.

Motion: To waive the sign-notice requirement.

Motion by: Horkay Second by: Hoover; Vote: Passed by Voice Vote

A Public Hearing opened at 10:00 p.m.

Mr. Bryan Stumpf stated that he appreciates the scale of the homes and the sensitivity to the environment.

The Public Hearing closed at 10:03 p.m.

Hoover asked about the neighborhood meeting and how the response was.

Anderson stated that the neighborhood meeting went well; a few people were apprehensive at the beginning but appeared better after the presentation. Anderson stated he intends to meet with the neighbors directly east of the development.

Sanders noticed that the staff report had discussion on alternative street material and asked if any resolution.

Skelton stated that this is still being investigated; analysis and recommendation will be presented at the next meeting.

Spoljaric asked about building materials, timeline, and amenities.

Anderson responded that the building materials will be predominantly cement board, no vinyl siding, and no artificial stone. He stated that, concerning a timeline, he would like to begin site construction next spring. He continued that the internal road system will have to be put in as part of the first phase, and that trails have to go in now. He further stated the Midland Trail is already through the subject property.

ADJOURNMENT (10:10)

Approved (date)

President, Robert Smith, Esq.

Vice President, Cindy Spoljaric

Secretary, Matthew S. Skelton, Esq., AICP